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Paper No. 8

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**OFFICE OF PETITIONS  
A/C PATENTS**

In re Application of  
Mia Minnelli  
Application No. 09/525,601  
Filed: March 14, 2000  
Attorney Docket No. G264

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(a), filed May 29, 2001, which is being treated as a petition requesting withdrawal of the holding of abandonment (no fee) in the above-identified application.

The petition is **granted**.

A Notice of Abandonment was mailed on May 8, 2001, indicating that this application is abandoned for failure to timely submit formal drawings on or before January 22, 2001, as required by the Notice of Allowability mailed October 20, 2000.

The instant petition was accompanied by a copy of a stamped return postcard which acknowledges receipt of a drawing transmittal, two drawing sheets and the \$620 issue fee on November 20, 2000.

The drawings acknowledged as having been received in the PTO on November 20, 2000 have not to date been located. However, MPEP 503 states that "A post card receipt which itemizes and properly identifies the papers which are being filed serves as prima facie evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO."

In reviewing the copy of the transmittal letter for the drawings, it is noted that the application number is not complete, i.e., the number 6 is missing therefrom.

However, under current Office procedure, a response that has an incorrect application number is handled in accordance with MPEP 508.03. If a paper having an incorrect application number contains sufficient information to identify the correct application and was timely filed, the holding of abandonment will be withdrawn. In reviewing the papers submitted, it is concluded that the information contained thereon was sufficient to associate the papers with the instant file and that the drawings were timely filed.

In view of the above, the holding of abandonment is hereby withdrawn and the application restored to pending status. Accordingly, the drawings received with the petition will be accepted in place of the drawings acknowledged as having been received in the PTO on November 20, 2000.

Petitioner is cautioned to ensure that the correct identifying data appears on all correspondence submitted to the USPTO to avoid situations of the nature which occurred in the present application.

A petition to withdraw the holding of abandonment does not require a fee. Therefore, petitioner may request, in writing, a refund of the \$55 petition fee submitted. The request should be directed to the Office of Finance, Refund Section, and should include a copy of this decision.

Telephone inquiries specific to this decision on petition should be directed to the undersigned at (703) 305-8680. Any questions concerning the issuance of this application into a patent should be directed to Customer Services at (703) 308-6789.

This application file is being forwarded to Publishing Division.



Frances Hicks

Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy